

REMARKS

This Amendment is being filed in response to the Final Office Action mailed July 31, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

Claims 1-7 remain in the Application, where claims 4-7 had been added and claim 1 is independent.

In the Office Action, claims 6-7 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. Applicant respectfully disagrees and submits that the Application fully complies with the written description requirement, and reasonably conveys that the inventor, at the time the Application was filed, had possession of the claimed invention. For example, page 2, line 30 to page 3, line 7 recite that both the long-hair cutting device and the short-hair cutting device can be adjusted jointly between at least two operating positions, and thus between at least two height positions in relation to the housing of the shaving apparatus. As a result, the cutting characteristics of the long-hair cutting device can be

altered by adjusting it for height, which alters the distance of the long-hair cutting device from the housing. Yet, as a result of the combined height-wise adjustment of the long-hair cutting device and of the short-hair cutting device, the cutting characteristics of the short-hair cutting device are not adversely affected, but remain as good as before.

It is respectfully submitted that one skilled in the art would have no trouble understanding that the inventors, at the time of the application was filed, had possession of the claimed invention. Accordingly, withdrawal of these rejections under 35 U.S.C. §112, first paragraph to claims 6-7 is respectfully requested.

In the Office Action, claims 1 and 3 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 3,950,847 (Duda) in view of U.S. Patent No. 6,568,083 (Taniguchi). It is respectfully submitted that claims 1-7 are patentable over Duda and Taniguchi for at least the following reasons.

Duda is directed to dry-shaver having a reciprocating drive cutter that cooperates with a stationary counter-cutter. Apart from these two cutters, Duda does not disclose or suggest any further cutters. Thus, at best, Duda merely discloses two cutters,

namely, the reciprocating drive cutter and the stationary counter-cutter. Three cutters, such as a short-hair cutting tool, a first long-hair cutting tool and a second long-hair cutting tool, as recited in independent claim 1, is nowhere disclosed or suggested in Duda.

Taniguchi is directed to a dry shaver capable of being depressed equally at different positions but with differing contact pressures between outer and inner cutters which appear to be driven. The shaver has a housing that includes a motor, and inner and outer cutters at its upper end. The inner cutter is driven by the motor to move in shearing engagement with the outer cutter for shaving hairs. The inner cutter is urged upwardly by a bias spring to develop a contact pressure against the outer cutter.

It is respectfully submitted that Duda, Taniguchi, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable features, recites (illustrative emphasis provided):

long-hair cutting device projecting out of the housing through the passage and comprising a first long-hair cutting tool which is not drivable by the motor and the driving means and a second long-hair cutting tool drivable by the

motor and the driving means and located between the first long-hair cutting tool and the short-hair cutting tool.


A second drivable long-hair cutting tool located between the non-drivable first long-hair cutting tool and the short-hair cutting tool are nowhere disclosed or suggested in Duda and Taniguchi, alone or in combination. Rather, Duda merely discloses two cutters, and Taniguchi merely discloses an inner cutter that is driven.

Accordingly, it is respectfully submitted that independent claim 1 should be allowable. In additions, claims 2-7 should be allowable at least based on their dependence from independent claim 1.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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